

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X 07 Civ. 6966

TOWN OF GREENBURGH,

Plaintiff,

against,

SPECTRASERV, INC. and LIBERTY MUTUAL
INSURANCE COMPANY,

Defendants.

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SPECTRASERV, INC. and LIBERTY MUTUAL
INSURANCE COMPANY,

Third-Party Plaintiffs,

against,

M.G. McLAREN, P.C., and DOLPH ROTFELD
ENGINEERING, P.C.,

Third-Party Defendants.

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NOTICE IS GIVEN that upon the Affirmation of KEVIN J. O'NEILL, ESQ dated July 9, 2008, the Exhibits annexed thereto, and upon all the prior pleadings and proceedings heretofore had herein, third-party defendant DOLPH ROTFELD ENGINEERING, P.C. will move this Court at the Southern District of New York, 300 Quarropas St., Room 620, White Plains, NY 10601 for an Order pursuant to Fed. R. Civ. P. 12(b)(6) dismissing Third-party Plaintiff's Complaint as against DOLPH ROTFELD ENGINEERING, P.C.

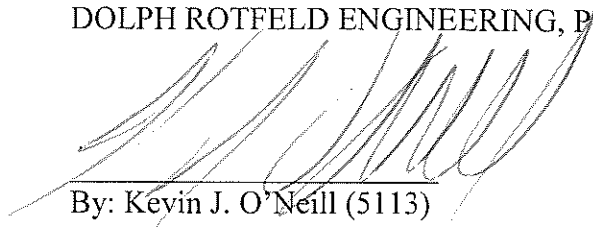
DATED: New York, New York
July 9, 2008

Yours, etc.,

GOGICK, BYRNE & O'NEILL, LLP

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DOLPH ROTFELD ENGINEERING, P.C.



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